(JANAB J. MOHAMED IMAM).

passenger and the poor man will have to pay. Ninety per cent of these indirect taxes fall only on the smaller agriculturists. What is more, Sir, there is no finality. I want to know whether the budget is balanced by the levy of these taxes. Shall we say the deficit is going to be wiped off; shall we say that this disease will be permanently cured ? Last year you levied 3 or 4 taxes. At least, if the present taxation were to improve your budget, I would say all right. But there is no finality for it. In spite of the increase of taxes the deficit continues.

The Hon'ble Sri H. C. DASAPPA.— Have some mercy on the House; time flies.

Janab J. MOHAMED IMAM.— So, I appeal to Government that this is not the time for new taxation. People are very hard hit. They are struggling for their existence. All these taxes will recoil on the poor man. I submit to Government not to worry themselves about this. Whatever amount they wish to realise from this levy, they may realise it by effecting retrenchment wherever possible. Supposing they entrust that work to me with a Committee, I will see that Government will get that amount which they can get from these taxes.

The Hon'ble Sri R. CHENNIGARAMIAH.—But, you are going abroad? (Laughter).

Janab J. MOHAMED IMAM.— Supposing they do it I said. So, on behalf of the common man I appeal to the Government not to enforce this extra indirect taxation.

The Hon'ble Sri H. C. DASAPPA.— Sir, I will just say a few words. My Hon'ble friend opposite must remember that between 3 or 4 years the expenditure on Medical has risen from 32·91 to about 92 lakhs and on Public Health from 7·00 to about Rs. 43 lakhs. That is a sufficient indication to show how hard up we are to findmoneys for these very necessary and vital needs of the country. Everywhere people are clamouring for more hospitals, more dispensaries, doctors, nurses, midwives and so on. Where are we to find the money to meet all this expenditure ? It has become impossible for us to meet the demands. Now that our friend Janab Imam is going to England, I want him seriously to study the Social Insurance Scheme they have launched in U.K. I would amply repay his visit and I think when he comes back he will not grudge this almost trivial taxation of 0–0–6 in a rupee.

With regard to the other point, namely, the indirect taxation, when he goes to U. K. he will see how the entire nation, to a man and to a woman, is co-operating in this matter of improving the living conditions of the people. Democracy, if it has to function properly, does need some amount. If you want to live in the old fashion, you need not have any taxation. If you want to meet the modern demands, you have to pay tax. If you want to see the advantage, look at the improvement in the Malnad parts, look at the growth of population because of our backing its people. This is to redress and give them more facilities and this little and harmless taxation we levy is to build their health. I do not think I should take more time of this House. I think the House is wholeheartedly in favour of this measure.

Mr. SPEAKER.—The question is :

That the Mysore Health Cess Bill, 1951, be referred to a Select Committee consisting of the following Members :

Sri S. Rangaramiah
Sri D M. Siddiah
Sri W. H. Hanumanthappa
Sri N. Hutchamasthy Gowda
Sri K. Sampangiramiah
Sri B. Chaunabyre Gowda
Sri D. Govinda Das
Srimathi Ratnamma Issac, and
the Mover. with instructions to report before the close of the session.

The motion was adopted.

The Mysore Cinematograph Entertainments Tax Bill, 1951.

Motion to Introduce.

The Hon'ble Sri H. C. DASAPPA (Minister for Finance and Industries).— I beg to introduce the Mysore Cinema-

tograph Entertainments Tax Bill, 1951, the same having been published in the *Mysore Gazette*, dated 26th March 1951 under Rule 36 of the Mysore Legislative Rules.

Suspension of Standing Order.

The Hon'ble Sri H. C. DASAPPA — Sir I beg to move:

"That Standing Order 30 be suspended".

Mr. SPEAKER.—The Chair has no objection to suspend the Standing Order.

The Hon'ble Sri H. C. DASAPPA.— Sir, I beg to move:

"That the Mysore Cinematograph Entertainments Tax Bill, 1951, be taken into consideration."

In asking this House to consider this Bill, I wish to present just a few figures which indicate what exactly is the position. The structure of the Bill is that we differentiate between the City cinema houses from the cinema houses in the Districts and the rest of the cinema houses in other parts of the State. We have in the four Cities namely, Bangalore, Mysore, K.G.F. and Davangere 57 cinema houses with a average seating capacity of 700 or 800 each. In the District headquarters, we have 15 cinema houses in all and there also the average seating capacity is 700 to 750. In all other places we have 34 cinema houses the seating capacity of which I am not very clear, but it is somewhere round about 400. It will be seen on calculation that these 57 cinema houses with an average capacity of 700 will have seats to the total extent of about 40,000 as a minimum in the cities and at Rs. 1-8/- the revenue per month would Rs. 60,000 and for the whole year it may be Rs. 7·20 lakhs. As regards the district cinemas there are 15 cinema houses each with an average of 700 seating capacity the total number of seats will be about 10,000 and at Re 1/- it works to about Rs. 10,000 per mensem or Rs. 1·2 lakhs per annum. As regards the rest 34 cinema houses, basing on an average of 400 seating capacity, the revenue will be Rs. 10,200 per mensem and Rs. 1·22 lakhs per annum. So the total amount will be round about 9½ lakhs of rupees. The point to be considered is this: if you work out exactly the incidence that will fall on each seat on the basis of two performances at least every day, it will come to about 5 3/5 pies on every seat per day; and it will be about 4½ pies per day in the case of the rest of the cinema houses in the State. I would certainly say that it is not by any means a tax which will hit the cinemas hard. I take it Sir, that during the discussion in the past and even now from what I gathered, this is a source from which we must derive some revenue. There is no doubt about that. The question now is whether the incidence of taxation will hit heavily on the people running the shows or on the people who go there for entertainment. I personally feel, it will not. But since there is also a motion for referring it to a Select Committee, I have no objection whatever for this matter being considered there. The structure of the Bill is simple one. One of the canons of taxation is that it must be simple to operate. Just as you have seating charges in the case of buses here also we have a seating charge which is calculated on the basis that the house may not be so full every day and leaving a wide margin for all the vacant seats, we have fixed the figures at Re. 1-8-/, Re. 1/- and Re. 0-12-0. But as I said, I am prepared to consider it.

Another thing to which I would like to invite the attention of this Hon'ble House is to the provisions which look penal in character. I am not anxious to send people to prison and if the select committee thinks that it is unnecessary to incorporate such penal provisions I should certainly be willing to consider it.

So, Sir, without saying very much, I would commend this Bill for the acceptance of the House.

Mr. SPEAKER.—Motion moved:

"That the Mysore Cinematograph Entertainments Tax Bill, 1951, be taken into consideration'

(MR. SPEAKER).

Sri V. S. Narayana Rao has tabled an amendment.

Sri V. S. NARAYANA RAO (Bangalore City).—Sir, I beg to move:

"That the Mysore Cinematograph Entertainments Tax Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the Session.—

Sri V.M. Mascerenhas,
Sri T. Subramanya,
Sri H. Siddaveerappa,
Sri H. C. Linga Reddy,
Sri B. Hutche Gowda,
Sri K. V. Shankara Gowda,
Sri M. N. Jois,
Sir M. L. Nanjaraj Urs,
Sri M. Govinda Reddy and the Mover.

ಸ್ವಾಮಿ, ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಇದುತನ್ಕ ದೀರ್ಘ ಭಾಷಣ ಮಾಡುವ ಅವಶ್ಯಕತೆ ಕಾಣುವುದಿಲ್ಲ, ಮತ್ತು ಹೊತ್ತೂ ಸಹ ಆಗಿದೆ. ಸಿನಿಮಾಗಳಮೇಲೆ ತೆರಿಗೆ ವಿಧಿಸಲು ಹೊಸದಾದ ಒಂದು ಕ್ರಮವನ್ನು ಈ ಬಿಲ್‌ನಲ್ಲಿ ಸೂಚಿಸಲಾಗಿದೆ. ಈ ವಿಧಾನ ಭಾರತದಲ್ಲಿ ನನಗೆ ತಿಳಿದ ಮಟ್ಟಿಗೆ ಯಾವ ಭಾಗದಲ್ಲೂ ಜಾರಿಯಲಿಲ್ಲ ವೆಂದು ಕಾಣುತ್ತದೆ. ಈ ಹೊಸ ಪದ್ಧತಿಯನ್ನು ಜಾರಿಗೆ ತರುವಾಗ ಶಾಸನಬದ್ಧವಾಗಿ, ಕ್ರಮಬದ್ಧವಾಗಿ ತರಬೇಕಾದ್ದು ಅತ್ಯಂತ ಅವಶ್ಯಕವಾಗಿದೆ. ಈ ತೆರಿಗೆ ಬಹಳ ಸ್ವಲ್ಪ ಜನಗಳಮೇಲೆ ಬೀಳುವುದಾಗಿದೆ. ಆದ್ದರಿಂದ ಇದನ್ನು ಯಾವ ರೀತಿ ಹಾಕಬೇಕು, ಈಗಿರತಕ್ಕದ್ದು ಸರಿಯಾಗಿದೆಯೇ ಇಲ್ಲವೇ ಎಂಬುದನ್ನು ಇರತಕ್ಕ ಕಾಲದಲ್ಲಿ ಕೂಲಂಕಷವಾಗಿ ನೋಡಬೇಕಾಗಿದೆ. ಸಿನಿಮಾಟೋಗ್ರಾಫ್ ಮೇಲೆ ಹಾಕಬೇಕೆಂದಿರುವ ತೆರಿಗೆಯ ನೀತಿಯನ್ನು ಒಪ್ಪಿ ಕೊಂಡಾಗಿದೆ. ಆದನ್ನು ಯಾವ ರೀತಿಯಲ್ಲಿ ವಿಧಿಸ ಬೇಕು ಎಂಬುದನ್ನು ಮಾತ್ರ ವಿಪುಲವಾಗಿ ನೋಡಿ ಜಾಗ್ರತೆ ಬೆಳ್ಳನ್ನು ಈ ಸಭೆ ಮುಂದೆ ತರಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

Mr. SPEAKER.—Amendment moved:

"That the Mysore Cinematograph Entertainments Tax Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the Session.—

Sri V. M. Mascerenhas,
Sri T. Subramanya,
Sri H. Siddveerappa,
Sri H. C. Linga Reddy,
Sri B. Hutche Gowda,
Sri K. V. Shankara Gowda,
Sri M. N. Jois,
Sri M. L. Nanjaraj Urs,
Sri M. Govinda Reddy, and the Mover,

***Mushir-ul-Mulk J. MOHAMED IMAM** (Chitaldrug *cum* Tumkur—Muslim).—Sir, I will not take much time of the House. As I said before I must oppose this fiscal measure. Sir, already there are several taxes which are working on us hard, as for example, the entertainment tax which has been enhanced from time to time. This is a novel measure of taxation which is introduced, which, as pointed by Sri V. S. Narayana Rao, is the first of its kind in the whole of India. I do not think any other State in India has levied a tax of this kind.

Sri H. SIDDAVEERAPPA.—It is not correct Sir; perhaps Bombay has already done something in this regard.

Janab J. MOHAMED IMAM.—I am not aware that this measure is adopted in any State in India or outside India. But this is a tax in addition to the tax which the consumer is already paying which ranges from 2 to 8 pies per seat. It is not at all fair to levy an additional-tax at this time.

Sri K. PUTTASWAMY.—Consumer!

Janab J. MOHAMED IMAM.—Yes, it is the consumer who has got to bear this tax. The proprietor will only pass it on to the consumer. He will not take it on his head. He will pass the burden on the sight-seer. Sir, in a cinema four parties are involved: the producer, the distributor, the cinema proprietor and the consumer or the sight-seer. All taxes ultimately affect the person who wants to have some entertainment and all the other parties are entirely left free.

The best course is to re-tax on the footage of the film. The producer makes lakhs and lakhs of rupees; he is left scot-free. The actors and actresses get lakhs and lakhs of rupees and they are left scot free. The distributor takes plenty of money and he is not taxed. The man who exhibits the picture is not taxed. On account of this indirect taxation, he transfers everything to the audience. Similarly this tax.....

Sri K. PUTTASWAMY.—Is it a fallacious logic? Even if it is levied on hotel, it will ultimately go to the consumer.

Janab J. MOHAMED IMAM.—Every indirect taxation does fall on the consumer, but these capitalists go scot free. When you try to enhance it, say, to Rs. 1-12-0 per seat, the exhibitor simply enhances the rate of the ticket and asks the cinema goer to pay it. You want to levy a tax on the entire seating capacity of the cinema irrespective of

the fact whether all those seats are filled or not every day.

The Hon'ble Sri H. C. DASAPPA.— Is not a tax levied on bus seating capacity?

Janab J. MOHAMED IMAM.—One day there may be 700 spectators; on another day there may be a very few. To ask him to pay every day for every seat, is quite unreasonable. This is a very unreasonable measure. The cinema goers are already taxed and if this levy also is added, it is again pricking a needle into the wound. I want the Government to think over and not have this measure passed in a hurry.

The Hon'ble Sri H. C. DASAPPA.— I am reminded of the usual thing with regard to all taxation proposals. The rich man always opposes the taxation proposals in the name of the poor and I think in this Janab Imam is no exception. (A Voice: But he is a friend of the poor!) That is what he must say. I may just say one thing. Let us turn over to Bombay. Sri Siddaveerappa referred to Bombay. You find this entertainment tax not only on cinemas but on all else. One anna for every four annas when it does not exceed four annas; that is as much as 25 per cent. Then $2\frac{1}{2}$ annas when it is between 4 annas and 8 annas. (A Voice: Is it entertainment tax or seating tax?) Entertainment tax. 5 annas between 8 annas and Re. 1; 10 annas between Rs. 1 and 2; Rs. 1-4-0 between Rs. 2 and 4; Rs. 2 between Rs. 4 and 5 and so on. I do not want to be so harsh as this. It is a very little thing that we are trying to do.

Sri B. M. SHAMANNA GOWDA (Bangalore Retroceded area-General).— What is the average income in Mysore and what is the average income in Bombay?

The Hon'ble Sri H. C. DASAPPA.— Bombay's average is Bombay's average and Bangalore's average is Bangalore's average. Let nobody be scared away by this tax. I know a lot of propaganda going on outside and I think no Hon'ble Member here is going to be taken in by such kind of propaganda. I think this Bill may go to the Select Committee.

Mr. SPEAKER.—The question is.—

"That the Mysore Cinematograph Entertainments Tax Bill, 1951, be referred to a Select Committee consisting of following members with instructions to report before the close of the Session.—

Sri V. M. Mascarenhas
Sri T. Subramanya
Sri H. Siddveerappa
Sri H. C. Linga Reddy
Sri B. Hutche Gowda
Sri K. V. Shankara Gowda
Sri M. N. Jois
Sri M. L. Nanjaraj Urs,
Sri M. Govinda Reddy, and
Sri V. S. Narayana Rao (mover)."

The motion was adopted.

The Mysore Motor Vehicles Taxation and Tolls Bill, 1951,

Motion to introduce.

The Hon'ble Sri H. SIDDAIYA (Minister for Revenue and Excise).— Sir, I beg to introduce the Mysore Motor Vehicles Taxation and Tolls Bill, 1951, the same have been published in the *Mysore Gazette*, Extraordinary, dated 29th March 1951 under Rule 36 of the Mysore Legislative Rules.

Motion to suspend Standing Order.

The Hon'ble Sri H. SIDDAIYA.—I also beg to move that Standing Order 30 of the Legislative Assembly Standing Orders be suspended.

Mr. SPEAKER.—I have no objection.

Motion to consider

The Hon'ble Sri H. SIDDAIYA.—Sir, I beg to move.—

"That the Mysore Motor Vehicles Taxation and Tolls Bill, 1951, be taken into consideration."

Janab J. MOHMED IMAM.—Let them allot a full day for discussion. There is hardly two minutes' time. They want to rush through such an important measure. It is in the interest of the Government and the people to have sufficient time to discuss this Bill. Let them allot some other day for discussion on this Bill. I think the Hon'ble Finance Minister may allot a separate day.